IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5206 of 2005

Between:

B.Ramulu S/o.B.Yellaiah
Ramachandrap Villageuram Kanagal Mandal
Nalgonda District.

..... PETITIONER

AND

1 The Joint Collector
Nalgonda District Nalgonda
2 The R.D.O
Nalgonda Division at Nalgonda

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to May be pleased to set aside the orders of the Respondent No.1 in Case No.CS1/1904/2004 8.2.2005 and R2 K/2825/2004 dt.4.9.2004 declare the action of the Respondent by giving orders writ order of direction more particularly one in the nature of Writ of Mandamus and pass such other order or orders

Counsel for the Petitioner: MR.BOLLAM LINGAIAH YADAV

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

The grievance of the petitioner is that the second respondent suspended his authorisation pending enquiry. When the petitioner challenged the same before the first respondent, in appeal, the first respondent remanded the matter to the second respondent for fresh disposal, but not permitted the petitioner to do business.

It is to be seen in this connection that when once the order of the second respondent suspending the authorisation was set aside and the matter was remanded for fresh disposal, it should be understood and construed that there is no order of suspension of authorisation subsisting, pending enquiry. Hence the petitioner is legally entitled to continue his business.

In that view of the matter, the writ petition is disposed of at the stage of admission, with a direction to the second respondent to complete the enquiry and pass order in accordance with law, as expeditiously as possible after giving due opportunity to the petitioner. In the meanwhile, the petitioner shall be permitted to carry on the business.

No costs.

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kvsn 16-03-2005

To

1 The Joint Collector
Nalgonda District Nalgonda

2 The R.D.O
Nalgonda Division at Nalgonda

3 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

4 Two CD copies.